

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ERIC X. RAMBERT,)	
)	2:15cv1088
Petitioner,)	Electronic Mail
)	
v.)	Judge David Stewart Cercone
)	Magistrate Judge Lisa Pupo Lenihan
VINCENT T. MOONEY and PA)	
STATE ATTORNEY GENERAL,)	
)	
Respondents.)	

MEMORANDUM ORDER

Pending before the Court is a Petition for Writ of Habeas Corpus filed by Petitioner Eric X. Rambert (“Petitioner”) on July 14, 2015, wherein he claims that the Pennsylvania Department of Corrections improperly aggregated his sentences. (ECF No. 1.) In accordance with the Magistrate Judge’s Act, 28 U.S.C. § 636(b)(1), and Rules 72.C and 72.D of the Local Rules of Court, all pretrial matters were referred to United States Magistrate Judge Lisa Pupo Lenihan.

Respondents filed a Response to the Petition on October 15, 2015 (ECF No. 15), and Petitioner responded by filing a reply brief in opposition on October 26, 2015 (ECF No. 17). Petitioner also filed a supplemental reply brief on January 7, 2016 (ECF No. 21), a supplement in support of his Petition on March 22, 2016 (ECF No. 22), and another supplement in support of his Petition on July 19, 2016 (ECF No. 29).

On July 26, 2018, the Magistrate Judge issued a Report and Recommendation (“R&R”) recommending that the Petition be dismissed for lack of jurisdiction and that no certificate of appealability issue. (ECF No. 41.) The R&R was served on the parties who were informed that objections were due by August 13, 2018. As of today, no objections have been filed. Therefore, after careful *de novo* review, the following Order is now entered.

AND NOW, this 29th day of August, 2018;

IT IS HEREBY ORDERED that the Report and Recommendation of the Magistrate Judge (ECF No. 41) is adopted as the Opinion of the Court.

IT IS FURTHER ORDERED that the Petition for Writ of Habeas Corpus (ECF No. 1) is dismissed for lack of jurisdiction.

IT IS FURTHER ORDERED that a Certificate of Appealability is denied.

IT IS FURTHER ORDERED that the Clerk of Court enter judgment in favor of Respondents and mark this case **CLOSED**.

AND IT IS FURTHER ORDERED that pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, Petitioner has thirty (30) days to file a notice of appeal as provided by Rule 3 of the Federal Rules of Appellate Procedure.

s/ DAVID STEWART CERCONE
David Stewart Cercone
Senior United States District Judge

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